

## 2013 DRAFTING REQUEST

### Bill

Received: 12/3/2012 Received By: tdodge  
Wanted: As time permits Same as LRB:  
For: Administration-Budget 267-7980 By/Representing: Iwata  
May Contact: Drafter: tdodge  
Subject: Medical Assistance Addl. Drafters:  
Extra Copies:

Submit via email: YES  
Requester's email:  
Carbon copy (CC) to: tamara.dodge@legis.wisconsin.gov  
pam.kahler@legis.wisconsin.gov

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### Pre Topic:

DOA:.....Iwata, BB0269 -

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### Topic:

Appropriation authority for nongovernmental administrative payments

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### Instructions:

See attached.

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### Drafting History:

<u>Vers.</u>	<u>Drafted</u>	<u>Reviewed</u>	<u>Typed</u>	<u>Proofed</u>	<u>Submitted</u>	<u>Jacketed</u>	<u>Required</u>
/?	tdodge 12/4/2012	scalvin 12/5/2012		_____			
/P1	tdodge 1/10/2013		rschluet 12/5/2012	_____	sbasford 12/5/2012		State
/1		scalvin 1/10/2013	phenry 1/10/2013	_____	mbarman 1/10/2013		State

FE Sent For:

**<END>**

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FE Sent For:

11 SAC  
01/10/2013

Y  
1/10 ph/25

<END>

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DOA:.....Iwata, BB0269 -

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Appropriation authority for non-governmental administrative payments

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See attached.

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/?	tdodge	/p1 sac	/p1 sac				
		12/04/12	12/05/12				

FE Sent For:

<END>

## **Dodge, Tamara**

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**From:** Hanaman, Cathlene  
**Sent:** Monday, December 03, 2012 8:53 AM  
**To:** Duchek, Michael; Dodge, Tamara  
**Subject:** FW: Statutory Language Drafting Request - BB0269  
**Attachments:** Receipt of administrative payments.docx

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

**From:** [Yuko.Iwata@wisconsin.gov](mailto:Yuko.Iwata@wisconsin.gov) [<mailto:Yuko.Iwata@wisconsin.gov>]  
**Sent:** Monday, December 03, 2012 8:51 AM  
**To:** Hanaman, Cathlene  
**Cc:** Thornton, Scott - DOA; Gauger, Michelle C - DOA; Iwata, Yuko - DOA  
**Subject:** Statutory Language Drafting Request - BB0269

**Biennial Budget:** 2013-15

**Topic:** Appropriation Authority for Receipt of Non-governmental Administrative Payments

**Tracking Code:** BB0269

**SBO Team:** HSI

**SBO Analyst:** Iwata, Yuko - DOA  
**Phone:** (608) 267-7980  
**E-mail:** [Yuko.Iwata@wisconsin.gov](mailto:Yuko.Iwata@wisconsin.gov)

**Agency Acronym:** DHS

**Agency Number:** 435

**Priority:** Medium

**Intent:**

To expand appropriation authority to allow receipt of payments from telephone companies for administrative expenses.

**Attachments:** True

*Please send completed drafts to [statlanguage@wisapps.wi.gov](mailto:statlanguage@wisapps.wi.gov)*

## Appropriation Authority for Receipt of Non-governmental Administrative Payments

### Decision Needed

The Department of Health Services receives payments from outside entities for access to Departmental data or other purposes. Current statutory language for Departmental appropriations does not address all of these situations.

### Background

1. The Department of Health Services receives payments from telephone companies on a regular schedule and occasionally receives payments from other entities for special purposes. Current appropriation language does not readily accommodate these payments.
2. One example of payments received by the Department relates to the Federal universal service fund's Lifeline program. The Lifeline program provides telephone service at a low cost to individuals who are eligible for other need-based programs, including Medical Assistance, FoodShare, Energy Assistance, and W2. The Department receives \$500 biannually for each logon requested by telephone companies who wish to access CARES eligibility data in order to verify Lifeline eligibility. The Department applies the fees collected to CARES security staff costs.
3. The Department has appropriations for receipt of grant funding from federal and private entities and also has appropriations to receive payments from other state agencies.
4. Periodically, situations will arise where a non-government entity will provide special one-time funding for a specific purpose, such as a special data query or as match to a grant.
5. The Department used the appropriation under 20.435 (4) (i), Gifts and Grants, for the telephone company payments in the current fiscal year. The statutory language in this appropriation could be modified to make it clearer that the appropriation allows receipt of payment for administrative expenses.

### Current Language

20.435 (4) (i) *Gifts and grants; health care financing.* All moneys received from gifts, grants, bequests and trust funds to provide health care financing consistent with the purpose of the gift, grant, bequest or trust fund.

### Proposed Change

20.435 (4) (i) *Gifts and grants; health care financing.* All moneys received from gifts, grants, bequests and trust funds to provide health care financing consistent with the purpose of the gift, grant, bequest or trust fund, and all moneys from non-governmental entities received as payment for departmental administrative services.

**Desired Effective Date:** Upon passage of the biennial budget bill.  
**Agency:** DHS  
**Agency Contact:** Carrie Schneck  
**Phone:** 266-5362



State of Wisconsin  
2013 - 2014 LEGISLATURE



LRB-06777(?)

TJD:Y:....

In: 12/4/12

sac

RmOR

DOA:.....Iwata, BB0269 - Appropriation authority for non-governmental administrative payments

**FOR 2013-2015 BUDGET — NOT READY FOR INTRODUCTION**

1 AN ACT *to not gen*; relating to: the budget.

*Analysis by the Legislative Reference Bureau*

**HEALTH AND HUMAN SERVICES**

**OTHER HEALTH AND HUMAN SERVICES**

\* Currently, DHS may use moneys received from gifts, grants, bequests, and trust funds to provide health care financing consistent with the purpose of the gift, grant, bequest, or trust fund. This bill also allows DHS to receive payments from non-governmental entities for administrative services provided by DHS and use moneys from those payments for the purposes for which those payments are received.

For further information see the *state* fiscal estimate, which will be printed as an appendix to this bill.

*The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:*

2 SECTION 1. 20.435 (4) (i) of the statutes is amended to read:

3 20.435 (4) (i) *and payments* Gifts ~~and~~ grants; health care financing. All moneys received from

4 gifts, grants, bequests and trust funds to provide health care financing consistent



## SECTION 1

for departmental administrative services

- 1 with the purpose of the gift, grant, bequest or trust fund, and all moneys received
- 2 from payments for departmental administrative services from non-governmental
- 3 entities, for the purposes for which those payments are received.

**History:** 1971 c. 125 ss. 138 to 155, 522 (1); 1971 c. 211, 215, 302, 307, 322; 1973 c. 90, 198, 243; 1973 c. 284 s. 32; 1973 c. 308, 321, 322, 333, 336; 1975 c. 39 ss. 153 to 173, 732 (1), (2); 1975 c. 41 s. 52; 1975 c. 82, 224, 292; 1975 c. 413 s. 18; 1975 c. 422, 423; 1975 c. 430 ss. 1, 2, 80; 1977 c. 29 ss. 236 to 273, 1657 (18); 1977 c. 112; 1977 c. 203 s. 106; 1977 c. 213, 233, 327; 1977 c. 354 s. 101; 1977 c. 359; 1977 c. 418 ss. 129 to 137, 924 (18) (d), 929 (55); 1977 c. 428 s. 115; 1977 c. 447; 1979 c. 32 s. 92 (11); 1979 c. 34, 48; 1979 c. 102 s. 237; 1979 c. 111, 175, 177; 1979 c. 221 ss. 118g to 133, 2202 (20); 1979 c. 238, 300, 331, 361; 1981 c. 20 ss. 301 to 356b, 2202 (20) (b), (d), (g); 1981 c. 93 ss. 3 to 8, 186; 1981 c. 298, 314, 317, 359, 390; 1983 a. 27 ss. 318 to 410, 2202 (20); 1983 a. 192, 199, 245; 1983 a. 333 s. 6; 1983 a. 363, 398, 410, 427; 1983 a. 435 ss. 2, 3, 7; 1983 a. 538; 1985 a. 24, 29, 56, 73, 120, 154, 176, 255, 281, 285, 332; 1987 a. 27, 339, 368, 398, 399, 402; 1987 a. 403 ss. 25, 256; 1987 a. 413; 1989 a. 31, 53; 1989 a. 56 ss. 13, 259; 1989 a. 102; 1989 a. 107 ss. 11, 13, 17 to 37; 1989 a. 120, 122, 173, 199, 202, 318, 336, 359; 1991 a. 6, 39, 189, 269, 275, 290, 315, 322; 1993 a. 16, 27, 76, 98, 99, 168, 183, 377, 437, 445, 446, 450, 469, 479, 490, 491; 1995 a. 27 ss. 806 to 961r, 9126 (19); 1995 a. 77, 98; 1995 a. 216 ss. 26, 27; 1995 a. 266, 276, 289, 303, 404, 417, 440, 448, 464, 468; 1997 a. 27 ss. 211, 214, 216, 217, 527 to 609; 1997 a. 35, 105, 231, 237, 280, 293; 1999 a. 5, 9, 32, 52, 84, 103, 109, 113, 133, 185, 186; 2001 a. 16, 69, 103, 105; 2003 a. 33, 139, 186, 318, 320, 326, 327; 2005 a. 15, 22; 2005 a. 25 ss. 299 to 331, 2498 to 2500, 2510; 2005 a. 74, 107, 199, 228, 264, 388, 406, 434; 2007 a. 20 ss. 331 to 422, 9121 (6) (a); 2007 a. 39, 88, 107, 111, 130; 2009 a. 2, 15; 2009 a. 28 ss. 325 to 470, 485, 488, 490; 2009 a. 76, 180, 190, 219, 274, 276, 279, 318, 334; 2011 a. 32, 70, 257; s. 35.17 correction in (4) (gr).

\*\*\*\*\*NOTE: I am not completely certain of the purpose for expending the money received as payments from non-governmental entities. Please review this language and ensure that it allows DHS to take in and expend those moneys as it wishes.

4

(END)

## Dodge, Tamara

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**From:** Dodge, Tamara  
**Sent:** Thursday, January 10, 2013 11:06 AM  
**To:** Dodge, Tamara (Tamara.Dodge@legis.wisconsin.gov)  
**Subject:** FW: statutory language draft: appropriation language

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**From:** Iwata, Yuko - DOA [<mailto:Yuko.Iwata@wisconsin.gov>]  
**Sent:** Thursday, January 10, 2013 9:00 AM  
**To:** Kahler, Pam  
**Cc:** Gauger, Michelle C - DOA  
**Subject:** FW: statutory language draft: appropriation language

Good morning Pam,

Here is a drafting suggestion from DHS regarding your draft on appropriation authority for non-governmental admin. payments. If you have any questions please let us know.

Thanks,

**Yuko Iwata**  
Executive Policy and Budget Analyst  
Division of Executive Budget and Finance  
Department of Administration  
(608) 267 – 7980

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**From:** Schneck, Carrie E - DHS  
**Sent:** Wednesday, January 09, 2013 4:42 PM  
**To:** Iwata, Yuko - DOA  
**Cc:** Malofsky, Shelley F - DHS; Kasten, Barry R - DHS; Casper, Cathy A - DHS; Jatczak, Cheryl - DHS; Small, Andre W - DHS; Kurt, Sheila C - DHS  
**Subject:** statutory language draft: appropriation language

Hi Yuko,

Thank you for the opportunity to review a draft of LRB draft 0677/P1, which would revise the appropriation language for 20.435 (4)(i). The Department recommends that the statute allow payments from nongovernmental **individuals** and entities, to allow us to accept payments from a variety of sources.

Please let me know if you need anything further from me.

Carrie Schneck  
Budget & Policy Analyst  
State of Wisconsin  
Department of Health Services  
PO Box 7850  
Madison, WI 53707-7850  
608-266-5362

Please note: I am in the office Tuesday through Friday.



State of Wisconsin  
2013 - 2014 LEGISLATURE



LRB-0677/PJ

TJD:sac:rs

In: 1/10/13

RMR

DOA:.....Iwata, BB0269 – Appropriation authority for nongovernmental administrative payments

**FOR 2013-2015 BUDGET – NOT READY FOR INTRODUCTION**

1 AN ACT *do not gen*; relating to: the budget.

*individuals and*

*Analysis by the Legislative Reference Bureau*

**HEALTH AND HUMAN SERVICES**

**OTHER HEALTH AND HUMAN SERVICES**

Currently, DHS may use moneys received from gifts, grants, bequests, and trust funds to provide health care financing consistent with the purpose of the gift, grant, bequest, or trust fund. This bill also allows DHS to receive payments from nongovernmental entities for administrative services provided by DHS and use moneys from those payments for the purposes for which those payments are received.

For further information see the *state* fiscal estimate, which will be printed as an appendix to this bill.

*The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:*

2 SECTION 1. 20.435 (4) (i) of the statutes is amended to read:

3 20.435 (4) (i) Gifts and, grants, and payments; health care financing. All

4 moneys received from gifts, grants, bequests and trust funds to provide health care

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- 1 financing consistent with the purpose of the gift, grant, bequest or trust fund, and  
2 all moneys received from payments from nongovernmental entities for departmental  
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\*\*\*NOTE: I am not completely certain of the purpose for expending the money received as payments from nongovernmental entities. Please review this language and ensure that it allows DHS to take in and expend those moneys as it wishes.

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(END)



State of Wisconsin  
2013 - 2014 LEGISLATURE



LRB-0677/1

TJD:sac:ph

DOA:.....Iwata, BB0269 – Appropriation authority for nongovernmental administrative payments

**FOR 2013-2015 BUDGET — NOT READY FOR INTRODUCTION**

1 **AN ACT ...; relating to: the budget.**

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2 all moneys received from payments from nongovernmental individuals and entities  
3 for departmental administrative services, for the purposes for which those payments  
4 are received.

5 (END)